

# Dimensions

MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS

## ARCHITECTURAL DIVISION LETTER

By: Kenneth M. Frashier, Architectural Division Chair



**H**opefully we are making progress in getting the word out across the state of Missouri that licensed professionals are required on most building projects per state statutes (RSMO Chapter 327). A memorandum was sent by the Board Office to 22 different statewide organizations representing planning commissions, councils of government, school administrators,

school principals, school boards, insurers, financial advisors, code enforcement officials, association of counties, bankers, mortgage bankers, fire protection districts, lumberman's associations, ambulance associations, and associations of building officials and inspectors stating clearly what the requirements are for licensed professional involvement in building design. The violations of this statute have been many and varied, but they all create concerns for our Board's mission of "protecting the inhabitants of the state of Missouri in the enjoyment of life, health, peace and safety, and to protect their property from damage or destruction through dangerous, dishonest, incompetent or unlawful architectural, professional engineering, land surveying, or landscape architectural practice."

This is a reminder that the 12 year education/work experience method of qualification for taking the ARE examination for architectural licensure will be eliminated on December 31st of this year. Starting January 1, 2012, all new architectural applicants shall hold an accredited degree from an accredited degree program from a school of architecture to be eligible to take the ARE exam.

## DIMENSIONS IS GOING PAPERLESS

Starting in January 2012, Dimensions will only be available electronically. Please be sure to send your email address to the Board office to ensure that you continue to receive a copy of the newsletter. For your convenience, there is an email address change form located on our website at: <http://pr.mo.gov/apelsla-coe2.asp>

If you don't have an email address, you will be able to access a copy of the newsletter by visiting the Board's website at: <http://pr.mo.gov/apelsla-newsletters.asp>

**NOTE:** If you are a non-licensee who would like to continue receiving this newsletter, please send us your name and email address so that we can add you to our electronic mailing list.

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**STATE OF MISSOURI**  
Division of Professional Registration

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Submit articles to APEPLSLA,  
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## PROFESSIONAL ENGINEERING DIVISION LETTER

By: Kevin C. Skibiski, PE, PLS, Member



### INCIDENTAL PRACTICE

**I**ncidental Practice is a term that is used quite frequently when a licensed professional is asked to respond to a complaint made to the Board. For years the Board made the decision whether or not the work performed was incidental to the completion of the work lawfully being performed by the licensed professional. So why examine the issue now?

As a result of recent rulings by the Administrative Hearing Commission (AHC) and the courts, a committee of the Design Alliance was established to look at Chapter 327 and how incidental practice should be addressed in state statutes. Additionally, we are looking at the definitions of "architecture" and "engineering," and how they have been affected by recent AHC and court rulings.

I believe that the Board should be the entity to define architecture, engineering and incidental practice as it relates to the design professionals they regulate, rather than the courts. The courts have the final say in the interpretation of the statutes but technical terms need to be defined by the technical professionals.

The committee met on May 26, 2011 to begin discussions on these issues. We looked at the Model Law sections of NCEES and NCARB as a starting point for discussions on the definitions of architecture and engineering. Parts of Chapter 327 are already based upon these Model Laws.

An interesting discussion was had on incidental practice. A suggestion was made to remove the term "incidental practice" from Chapter 327, and to rely solely upon the competency of the individual as the basis for discipline. If the design professional is competent to practice outside the area of his/her licensure and expertise, he/she should be able to prove that by his/her education, experience, and training.

Many more discussions and committee meetings will take place before any recommendation is presented to the Design Alliance, the professional societies, and the Board. We must be open minded about changes; and we should be leading the changes forward, not waiting for the courts who may not fully understand the technical side to set the changes for us.

Comments to the Design Alliance committee are welcome, and can be addressed to Judy Kempker, Executive Director of the Board, or to me directly at [kevinskibiski@aol.com](mailto:kevinskibiski@aol.com).

## PROFESSIONAL LAND SURVEYING DIVISION LETTER

By: Michael C. Freeman, PLS,  
Division Chair



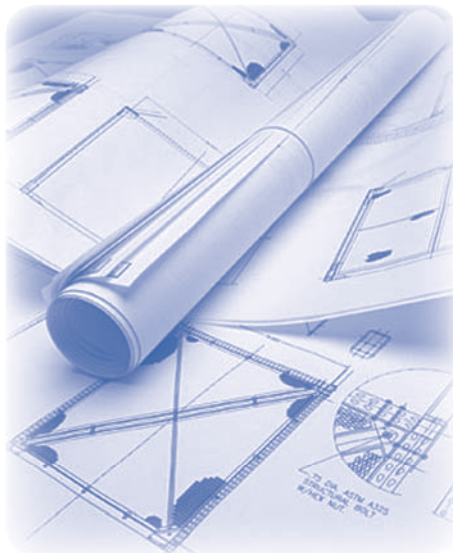
One of the most common topics for continuing education is accuracy versus precision. This has been an issue that has been debated at the MSPS level, DNR level and with the Board of Registration. We all know that precision is the repeatability of measurement while accuracy is placing your survey in the correct location. But, how do you determine your accuracy in light of specific rules and statutory requirements?

Too many physical monuments are being ignored or disregarded because they do not 'fit' with today's measurement ability. Lot corners set forty years ago by a surveyor dragging a 200' tape through the timber in a 'new' subdivision are most likely not set exactly where the record plat shows them. In most cases the original surveyor set his lot corners along the perimeter of his blocks and did not cross-check his measurements along the interior lot lines. Because he probably used a 10" transit and un-calibrated measuring tape, the lengths along those interior lot lines might be 0.2, 0.3 or 0.5' different from the 'record' distance. Are you going to set new property markers 0.5 feet from your mathematically computed lot corner? Per 20 CSR 2030-16.080(1), Monumentation. The land surveyor shall establish semi-permanent monuments at each and every exterior corner of the tract being surveyed.

Therein lies the problem...you may be forgetting that you are doing a Retracement Survey. You should be following in the footsteps of the original surveyor. You may be ignoring others

who conducted similar Retracement Surveys which may have resulted in new monumentation that you have rejected on the basis that it wasn't set by the "original" surveyor. In effect, you are telling your peers that your work is better than any of your predecessors. You have made a determination that the existing monuments are not in the correct position. This is a decision made on a basis other than that used by the original or subsequent surveyor. You have claimed these monuments are misplaced by some dimension which is generally shown on your plat as "y" North and "x" East of your computed location for the property corner.

In my opinion the surveyor who does this type of work is unprofessional and projecting a poor public image of our profession. As we all know, not all surveys are recorded (another issue). In many cases, we find bars and pipes with no knowledge of their origin. Do we disregard them entirely or do we see how they fit in the scheme of things. Let's actually evaluate the evidence and provide a little professional judgment. If you still want to ignore existing monuments, add a note and explain why...it will save you many hours of anguish and money in the long run.



## LANDSCAPE ARCHITECTURAL DIVISION LETTER

By: Robert N. Hartnett, RLA, Division Chair



This article may be my last one and will be a little different than past articles so please bear with me.

My term on this Board, depending on the timeliness of the appointment of my successor, is scheduled to end on September 30, 2011. Between my service with the former Landscape Architectural Council which began in July 1997, and merged into this Board in 2002, 14 years is enough and it is time to let someone else take over. It has been a great experience that I would not trade for anything. I have met so many wonderful people along the way that have taught me so much and helped me, and I am going to use my little bit of column space to recognize these great people.

To former Board Chair Jim Anderson, thank you for your outstanding leadership and representing each of the four professions equally. To present and former Board Member colleagues including Stuart Scroggs, Charles Hill, Randy Miltenberger, Kathy Warman, Ken Frasier, Kathy Achelpohl, J.C. Rearden, Chris Ball, Jo Emerick, Cheri Leigh, Promod Kumar, Royce Fugate, Kevin Skibiski, Abe Adewale, Jim Mathis, Mike Gray, John Teale, Mike Freeman, Mike Flowers, Dan Govero, Patti Banks, Jerany Jackson, and Bob Shotts, I would like to thank you for your service and dedication to the citizens and licensees of Missouri. To the present Board, thank you also for your trust in me and for allowing me to run the Board meetings for the last year and a half. I learned how to do it by watching Jim Anderson. I will however not miss the 12 hour meeting



## LANDSCAPE ARCHITECTURAL DIVISION LETTER...CONTINUED...

days, the Friday email packet, and the 3,500 page quarterly meeting agenda CD, but I will miss the socializing before and after the meetings.

To the wonderful staff including Judy Kempker, Sandy Robinson, Jane Coffman, Jan Gilliam, Nancy Plaster, Karen Payne, Laurie Koelling, Brittney Bax, and Shawn Hagerty, and the Board's Legal Counsel, Curt Thompson, thank you for your overall organization and professionalism. You all are second to none and we are lucky to have you. I will miss you professionally and personally.

When I was first approached by the State regarding the possible opportunity for LA Council/Board service, I ran the thought by my supervisor at the time, Lee's Summit City Administrator, Art Davis. Art was very supportive of the idea and committed that Lee's Summit would support me in any way possible in this endeavor. I do not think either one of us thought at that time that it would turn into a 14 year commitment. I want to thank Art as well as Bill Stockhausen, Chuck Owsley and my co-workers for their continued support and flexibility through the years. I missed a "little" work due to this commitment and could not have done it without their support.

My quick estimate is that I was away from home 168 days and nights over the last 14 years attending Board meetings, CLARB meetings and for other general Board business gatherings. To my family, Gina, Erin, and Kevin, I appreciate your understanding when I missed school awards, soccer games, and retirement recognition ceremonies. Thank you too for your support all these years.

Until my term is up, feel free to contact me if I can be of any service to you.

## QUALIFICATIONS BASED SELECTION (QBS)

By: Curtis S. Thompson, Board Counsel

Is it appropriate for an architect, professional engineer, professional land surveyor or landscape architect who submits a proposal to a public governmental body pursuant to the provisions of Sections 8.285-.291 RSMo to provide a sealed envelope that contains its proposed costs to provide those professional services to the governmental body at the same time the professional submits its proposal?

Sections 8.285-.291 provide:

8.285. It shall be the policy of the state of Missouri and political subdivisions of the state of Missouri to negotiate contracts for architectural, engineering and land surveying services on the basis of demonstrated competence and qualifications for the type of services required and at fair and reasonable prices.

8.287. As used in sections 8.285 to 8.291 unless the context specifically requires otherwise:

(1) "Agency" means each agency of the state and each agency of a political subdivision thereof authorized to contract for architectural, engineering and land surveying services;

(2) "Architectural services" means any service as defined in section 327.091;

(3) "Engineering services" means any service as defined in section 327.181;

(4) "Firm" means any individual, firm, partnership, corporation, association or other legal entity permitted by law to practice the profession of architecture, engineering or land surveying and provide said services;

(5) "Land surveying services" means any service as defined in section 327.272;

(6) "Project" means any capital improvement project or any study, plan, survey or program activity of a

state agency or political subdivision thereof, including development of new or existing programs.

8.289. Present provisions of law notwithstanding, in the procurement of architectural, engineering or land surveying services, each agency which utilizes architectural, engineering or land surveying services shall encourage firms engaged in the lawful practice of their professions to annually submit a statement of qualifications and performance data to the agency. Whenever a project requiring architectural, engineering or land surveying services is proposed for an agency of the state or political subdivision thereof, the agency shall evaluate current statements of qualifications and performance data of firms on file together with those that may be submitted by other firms regarding the proposed project. In evaluating the qualifications of each firm the agency shall use the following criteria:

(1) The specialized experience and technical competence of the firm with respect to the type of services required;

(2) The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;

(3) The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules;

(4) The firm's proximity to and familiarity with the area in which the project is located.

8.291. 1. The agency shall list three highly qualified firms. The agency shall then select the firm considered best qualified and capable of performing the desired work and negotiate a contract for the project with the firm selected.

2. For a basis for negotiations the agency shall prepare a written description of the scope of the proposed services.

3. If the agency is unable to negotiate a satisfactory contract with the firm selected, negotiations with that firm shall be terminated. The agency

**QBS...CONTINUED...**

shall then undertake negotiations with another of the qualified firms selected. If there is a failing of accord with the second firm, negotiations with such firm shall be terminated. The agency shall then undertake negotiations with the third qualified firm.

4. If the agency is unable to negotiate a contract with any of the selected firms, the agency shall reevaluate the necessary architectural, engineering or land surveying services, including the scope and reasonable fee requirements, again compile a list of qualified firms and proceed in accordance with the provisions of sections 8.285 to 8.291.

5. The provisions of sections 8.285 to 8.291 shall not apply to any political subdivision which adopts a qualification-based selection procedure commensurate with state policy for the procurement of architectural, engineering and land surveying services.

It is the Board's duty to protect the public from violations of Chapter 327 by those individuals and entities that practice the professions it regulates. The Board has been faced with difficult questions regarding the propriety of certain activities by political subdivisions that contract with professionals licensed by the Board. One such issue occurred when a member of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects (Board) attended a Missouri Municipal League meeting in 2009 in which during a session involving legal issues the city attorney, while discussing the Qualifications Based Selection (QBS) process for professional services, stated it was appropriate to ask for a sealed envelope with the professional's proposed fee for services that could be opened after the selection by the public governmental body, rather than waiting for the selection to submit the proposed fee. The Board understands that some cities and counties expect the professionals who submit responses to requests for proposals for professional services to provide such sealed envelopes with their responses. The Board believes

that this practice violates both the letter and the purposes of the QBS process codified in Sections 8.285-.291.

The Missouri General Assembly amended Section 8.291 in 2007 to make it clear that the procedure for acquiring these professional services by political subdivisions had to be followed by those subdivisions. The prior law provided that the provisions did not apply to "any political subdivision that adopts a formal procedure for the procurement of architectural, engineering, or land surveying services." The change makes it clear that the political subdivisions must adopt not merely a "formal" procedure but one that is "qualified based selection" and "commensurate with state policy." There is no "wiggle room" any longer. The wink and nudge practices described at the 2009 Municipal League meeting is no longer available to any political subdivision.

However, the Board realized that professionals wishing to provide services to political subdivisions that follow this procedure will be faced with the Hobson's choice of either not attempting to obtain the work, or submitting bids in apparent violation of QBS. For that reason the Board submitted a request through the Department of Insurance, Financial Institutions, and Professional Registration for an Attorney General's Opinion whether "Is it appropriate for an architect, professional engineer, professional land surveyor, or landscape architect who submits a proposal to a public governmental body pursuant to the provisions of Sections 8.285-.291 RSMo to provide a sealed envelope that contains its proposed costs to provide those professional services to the governmental body at the same time the professional submits its proposal?"

On October 6, 2010, the Attorney General responded in a letter that such a practice was not appropriate. In that letter the Attorney General's Office recognized that the Missouri law followed a federal law known as the Brooks Act. Because the federal

courts have interpreted the federal law as mandatory, it has to be presumed that the General Assembly knew of that conclusion in 1983 when it adopted the Missouri law and that the state law's requirements are also mandatory. Only after a firm is selected as the most qualified and negotiations have begun between the firm and the government, can the issue of price be discussed. In fact, the letter is quite specific in that it states "However, if the situation is one in which the agency is considering a project requiring professional services, but has not yet entered into contract negotiations with the firm it has found to be most highly qualified according to section 8.289 RSMo., then according to the terms of Sections 2.285-.291 RSMo., the agency is not permitted to consider the project's work proposal or its proposed costs, nor is the firm permitted to submit this information to the agency for its consideration." The Office then concludes it is not "lawful" to submit costs as suggested in the meeting in 2009 referenced above. Other permutations of the "sealed envelope" subterfuge are likewise not permitted.

The Board encourages its licensed professionals to work with political subdivisions in a cooperative and courteous fashion when bringing this letter to the attention of any such public entities that encourage or allow the practice determined to be unlawful by the state's highest law enforcement office. Those entities are likely unaware of the statutory mandates and once they become aware of the provisions for obtaining these services through QBS, the Board is confident that they will comply.

***To view the Attorney General Letter regarding Qualifications Based Selection (QBS), please visit the Board's website and click on: <http://pr.mo.gov/boards/apelsla/226371.pdf>***

# PUBLIC NUISANCE



By: Curtis S. Thompson, Board Counsel

The Board has been faced with many complaints that buildings erected in the state for commercial activities or for religious gatherings have been constructed without the use of design professionals. In several of those instances the Board is aware of structural deficiencies that could endanger anyone who is inside those buildings. Often, attempts by the Board to get the owners to correct the defects have been unsuccessful.

As a result, the Board studied the question whether the Board could successfully maintain an action for a public nuisance against an owner of a building that accommodates more than nine people, constructed without the use of an architect or professional engineer, and has had identified life safety problems which have not been corrected. If the Board could not maintain such an action, it also studied whether another entity could.

Black's Law Dictionary defines a public nuisance as "An unreasonable interference with a right common to the general public, such as a condition dangerous to health, offensive to community moral standards, or unlawfully obstructing the public in the free use of public property. Such a nuisance may lead to a civil injunction or criminal prosecution." Black's Law Dictionary, Ninth Edition 2009.

Because all businesses that are open to the public must be open to all, especially since the enactment of civil rights legislation in the 1960s and laws to protect the handicapped in the 1980s, then a building erected without use of licensed professionals and with continuing defects that are life safety defects, a court could decide that the continued operation of such a building is "an act or omission which obstructs or causes inconvenience or damage in the exercise of rights common to all," or "is an unreasonable interference

with a right common to the general public, such as a condition dangerous to health."

To be a nuisance, a defendant's interference with the public's right must be more than a mere annoyance, and one that materially interferes with the ordinary physical comfort of people's lives according to plain and simple analysis. The harm must also be unreasonable. Traditionally, this requires a risk-benefit analysis weighing the gravity and probability of a risk occurring against the utility of the activity or conduct. This test allowed courts to find that some interference with the use and enjoyment of land were not actionable.

There are numerous Missouri statutory provisions that refer to nuisances and public nuisances. If a building is erected or maintained in violation of city ordinances, or is operated for lewd purposes, actions can be brought to close the building or business. Sections 191.680, 67.400-.410, 441.500, 447.620(5), and 67.398 are examples of such statutes.

Section 191.680 identifies buildings used for purposes of lewdness as a public nuisance and authorizes the department of health and senior services, a county prosecutor, or a circuit attorney to bring an action to close the business. Sections 67.400-.410 apply to ordinances enacted in cities of the first class. Section 67.398 provides methods for such cities to abate such nuisances. Chapter 441 is the chapter that addresses landlord tenant law, and Section 441.500(13) defines a nuisance as "a violation of provisions of the housing code applying to the maintenance of the buildings or dwellings which the code official in the exercise of reasonable discretion believes constitutes a threat to the public health, safety or welfare." Chapter 447 applies to abandoned

and lost property. Section 447.620(5) defines a nuisance as "any property which because of its physical condition or use is a public nuisance or any property which constitutes a blight on the surrounding area or any property which is in violation of the applicable housing code such that it constitutes a substantial threat to the life, health, or safety of the public. For purposes of sections 447.620 to 447.640, any declaration of a public nuisance by a municipality pursuant to an ordinance adopted pursuant to sections 67.400 to 67.450, RSMo, shall constitute prima facie evidence that the property is a nuisance."

Missouri courts have addressed public nuisance allegations brought by governmental agencies. In an early case involving the enforcement of the highway beautification act, the State Highway Commission attempted to force removal of an outdoor advertising structure. The court stated, "Considering the statutory purpose and the fact that the Commission had experienced difficulty in having the sign removed we believe that the action partakes of the nature of an action to abate a public nuisance... We conclude that the action was an independent action brought to enforce alleged violations of the Billboard Act and that the trial court had jurisdiction to hear the case." *State ex rel. SHC v. Heil*, 597 SW2d 257,259 (Mo. App. W.D. 1980).

The Kansas City Court of Appeals later ruled that the state of Missouri could proceed as a plaintiff in a public nuisance case to recover its costs against a union of Kansas City firefighters that had illegally participated in a strike. In response the state sent out the National Guard to be prepared to fight fires. See *State ex inf. Ashcroft v. Kansas City Firefighters Local 42*, 672 SW2d 99(Mo.App. W.D. 1984).



**PUBLIC NUISANCE...CONTINUED...**

On December 13, 2010, in response to a request from the Board for clarification of the respective rights of the Board and other governmental agencies, the Office of Attorney General issued a letter that concluded that although the specific question of whether a nuisance action could be maintained under a nuisance theory had not been addressed by Missouri courts but that it saw "no reason that the analysis would be different from instances in which the safety problems arise from other causes, such as lack of maintenance." The letter further concluded that the Board could not maintain such an action because its statutory authority did not include pursuing a public nuisance action; the local prosecuting attorney could because courts have allowed them to maintain public nuisance actions to enforce licensing laws against those who are not licensed.

It appears from the foregoing that a prosecuting attorney could pursue an action for an injunction to abate a public nuisance against an owner of a building that has been constructed without a design professional that has identified design defects that create a danger to the public that visits the commercial building. That would be particularly true for businesses that invite customers to shop within their buildings.

The Board urges members of the public, whether licensed professionals or not, to report to their local prosecuting attorney any buildings constructed without the use of design professionals that are open to the public, and exceed 20,000 cubic feet or provide for the employment, assembly, housing, sleeping or eating of not more than nine persons, especially if such buildings may have flaws that implicate public health and/or safety. If the Board receives such information it will pass the information along to such prosecuting attorneys if its investigation convinces it that the building was so designed and constructed without design professionals and has such flaws that may create issues adversely affecting public health or safety.

**To view the Attorney General Letter regarding Action on Public Nuisance, please visit the Board's website and click on: <http://pr.mo.gov/boards/apelsla/226396.pdf>**

**YEARS OF SERVICE RECOGNIZED**

**A**t the Board's January 25, 2011 meeting held in Jefferson City, Missouri, Board Member, Bob Hartnett, presented on behalf of the Board service awards to Ms. Nancy Plaster and Ms. Karen Payne. The awards were presented in appreciation for their dedicated and exemplary service to the Board. Ms. Plaster and Ms. Payne are Licensing Technician II's. Ms. Plaster is responsible for processing all of the engineering applications received in the Board office and Ms. Payne is responsible for processing the land surveying and landscape architectural applications received. Ms. Plaster celebrated 30 years with the Board on May 26, 2011 and Ms. Payne celebrated 10 years with the Board on December 5, 2010.

Another employee deserving recognition for dedicated and exemplary service to the Board is Ms. Jan Gilliam. During a staff meeting in late July, Executive Director, Judy Kempker, presented on behalf of the Board a similar service award to Ms. Gilliam. Ms. Gilliam is also a Licensing Technician II for the Board and is responsible for processing all of the architectural and engineering intern applications received in the Board office. She celebrated 15 years with the Board on August 5, 2011.

Nancy, Karen, and Jan are extremely valuable assets to the Board. Although their main responsibility is processing applications, they also perform a multitude of other very important duties. They are highly principled and have outstanding work values and character. They have always performed their work at an exceptional level and are very much appreciated for all they do.

*Congratulations!*



**Bob Hartnett, Nancy Plaster**



**Judy Kempker, Jan Gilliam**



**Bob Hartnett, Karen Payne**

## DISCIPLINARY ACTIONS

**DISCLAIMER:** Every effort has been made to ensure that the following enforcement information is correct. However, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of the parties who have not had enforcement actions taken against them. Discipline orders are public data and copies may be obtained by contacting the Board office. Pursuant to Chapter 327, RSMo, a licensee is entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her probationary period providing that the licensee adheres to all of the terms and conditions of the Order. However, a licensee whose license has been suspended, is not entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her suspension period.

### LICENSES CURRENTLY ON SUSPENSION

**BRYAN, JOHN R., PE-14527** (Jefferson City, Missouri) – suspension commenced on January 1, 2011 and ends on December 31, 2011 followed by one (1) year probation commencing on January 1, 2012 and ends on December 31, 2012.

**CRANE, HOBIE DALE, PE-24160** (Olathe, Kansas) – suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**GOMEZ, MARIO P., PE-19007** (Ladue, Missouri) – suspended pursuant to Section 324.010, RSMo on November 21, 2009.

**GRAEFE, SAMUEL WARD, PE-18597** (O'Fallon, Missouri) – suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**HELD, FREDERICK HENRY III, PE-2006019664** (St. Charles, Missouri) – suspended pursuant to Section 324.010, RSMo on November 21, 2009.

**KERSTING, KEVIN J., PE-26879** (St. Louis, Missouri) – suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**KOENIGS, JEFFEREY A., PE-27239** (St. Louis, Missouri) – suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**LARSON, KURT E., A-3605** (Ballwin, Missouri) – suspended pursuant to Section 324.010, RSMo on June 9, 2008.

**LUCAS, MARTIN A., PLS-1857** (East Prairie, Missouri) – suspended pursuant to Section 324.010, RSMo on November 21, 2009.

**MERKL, PAUL JOSEPH A-7539** (Phoenix, Arizona) – suspended pursuant to Section 324.010, RSMo on November 21, 2009.

**RENNER, JOHN W., PLS-2000** (Kansas City, Missouri) – suspended pursuant to Section 324.010, RSMo on June 9, 2008. Thereafter, on June 20, 2011, the Board issued its Findings of Fact, Conclusions of Law and Disciplinary Order that Mr. Renner's license shall be suspended for sixty days, and then placed on probation for three years, with this discipline to commence upon Mr. Renner becoming compliant with Section 324.010, RSMo.

**STANLEY, HAROLD RAY, PE-19372** (Peculiar, Missouri) – suspended pursuant to Section 324.010, RSMo on June 19, 2010.

**WALZ, ROBERT ALAN, PE-2002000617** (Utica, Michigan) – suspended until Mr. Walz comes into compliance with the Order of May 24, 2011, for a period of not more than three years, and then placed on probation until the end of the probationary period as directed in the Board's previous Order of May 17, 2010.

**WHITE, LELAND R., PLS-2006000163** (Eldon, Missouri) – suspended pursuant to Section 324.010, RSMo on April 23, 2011.



**DISCIPLINARY ACTIONS...CONTINUED...**

**WILLIAMS, THOMAS L., A-8058** (Kansas City, Missouri) – suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**LICENSES CURRENTLY ON PROBATION**

**ARNOLD, ROBERT F., PLS-2191** (Camdenton, Missouri) – probation commenced on August 12, 2010 and ends on August 11, 2012.

**BEYER, RONALD L., PLS-2195** (Macon, Missouri) – probation commenced on July 8, 2011 and ends on July 7, 2012.

**BLACK, PAUL D., PE-17203** (Nixa, Missouri) – probation commenced on September 24, 2008 and ends on September 23, 2011.

**CRM ENGINEERING, INC., PE-1534** (Fenton, Missouri) – probation commenced on July 17, 2009 and ends on July 16, 2013.

**DAVIDSON, PAMELA, A-5012** (Cape Girardeau, Missouri) – probation commenced on December 3, 2010 and ends on December 2, 2012.

**FENTON, DAVID, PE-19869** (Town and Country, Missouri) – probation commenced on August 13, 2009 and ends on June 12, 2012.

**GOMEZ, PHILLIP A., A-6390** (St. Louis, Missouri) – probation commenced on February 17, 2009 and ends on February 16, 2012.

**HARDY, RICHARD E., A-2864** (Springfield, Missouri) – probation commenced on August 26, 2010 and ends on August 25, 2013.

**HERMANS, ALBERT P., PE-23306** (Independence, Missouri) – probation commenced on November 9, 2008 and ends on November 8, 2011.

**KUDER, SAM L., PLS-1714** (Kingman, Arizona) – probation commenced on May 12, 2009 and ends on May 11, 2012.

**LANGERAK, JON W., PE-25134** (St. Louis, Missouri) – suspension commenced on December 1, 2010 and ended on May 31, 2011. During his period of suspension, Mr. Langerak's probation from his original Order was stayed. On June 1, 2011, the original period of probation commenced again and will end on May 5, 2014.

**LYMAN SURVEYORS, LLC, PLS-2011000067** (St. Peters, Missouri) – probation commenced on January 3, 2011 and will end upon payment of the \$1,000 civil penalty.

**MASLAN, STEPHEN PHILLIP, PE-20397** (Kansas City, Missouri) – probation commenced on November 6, 2009 and ends on November 5, 2014.

**MCCLAIN, DAVID R., PLS-2001015261** (Hazelwood, Missouri) – probation commenced on February 2, 2011 and ends on February 1, 2013.

**MILLER, PAUL A., PE-28140** (Kansas City, Missouri) – probation commenced on January 18, 2011 and ends on July 17, 2012.

**MITCHELL, DENNIS TROY, A-6211** (Arlington, Texas) – probation commenced on December 18, 2010 and ends on December 17, 2013.

**NELSON, DENNIS STANLEY, PE-22489** (Eau Claire, Wisconsin) – probation commenced on August 23, 2010 and ends on January 29, 2013.

**DISCIPLINARY ACTIONS...CONTINUED...**

**RALSTON, WILLIAM A., PLS-1144** (Grain Valley, Missouri) – probation commenced on August 19, 2010 and ends on August 18, 2013.

**SITE LINE, LLC, LA-2011004783** (Leawood, Kansas) – probation commenced on February 18, 2011 and will end upon payment of the \$1,000 civil penalty.

**SUNSET DESIGN SERVICE, INC., A-2008003962** (Des Peres, Missouri) – probation commenced on November 18, 2009 and ends on October 4, 2011.

**VASQUEZ, JAIRZINHO, PE-2003012574** (Houston, Texas) – probation commenced on August 27, 2009 and ends on August 26, 2011.

**WELYTOK, MARK E., A-6894** (Branson, Missouri) – probation commenced on March 29, 2007 and ends on March 28, 2012.

**WURM, PHILLIP J., PLS-2278** (Kirkwood, Missouri) – probation commenced on April 7, 2011 and ends on April 6, 2014.

**SUSPENSION FOLLOWED BY PROBATION**

**WALZ, ROBERT ALAN, PE-2002000617**

Utica, Michigan

**Summary:** The Board previously reported that on May 17, 2010, the Board and Mr. Walz entered into a Settlement Agreement agreeing to place his professional engineering license, number PE-2002000617, on probation for a period of one year commencing on June 2, 2010 and ending on June 1, 2011 for failing to report his discipline from North Carolina and New Hampshire to the state of Missouri. The Settlement Agreement included certain conditions and terms for which Mr. Walz had to comply. However, Mr. Walz failed to comply with certain conditions, such as: 1) did not file quarterly reports on October 1, 2010 and January 1, 2011; as was required by the Settlement Agreement; 2) did not renew his license by December 31, 2010 as required by the Settlement Agreement; 3) did file a report on January 3, 2011, stating he had complied with all the terms of the Settlement Agreement, but the report was not accurate.

**Cause for Discipline:** Mr. Walz's conduct provided the Board cause to discipline his professional engineering license pursuant to Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board held a hearing on May 3, 2011 for the purpose of determining the appropriate disciplinary action against the professional engineering license issued to Mr. Walz. Thereafter, on May 24, 2011, the Board issued a Findings of Fact, Conclusions of Law and Disciplinary Order that Mr. Walz's professional engineering license, number PE-2002000617, be suspended until he comes into compliance with the Order of May 17, 2010, for a period of not more than three years, and then placed on probation until the end of the probationary period as directed in the Order of May 17, 2010, subject to the terms and conditions as set forth by the Board. In addition, Mr. Walz shall pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Robert Alan Walz, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Mr. Walz, and the interests to the public. Within 60 days of the date of the Order, Mr. Walz shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Cole County Treasurer, Cole County, Missouri, for payment to the Cole County school fund.

**DISCIPLINARY ACTIONS...CONTINUED...****RENNER, JOHN W., PLS-2000**

Kansas City, Missouri

**Summary:** The Board received information that on or about June 30, 2003, Mr. Renner signed and sealed his descriptive survey as a boundary survey for a client for lot 78 of Riss Lake, a subdivision in the City of Parkville, Platte County, Missouri, in order to adjust the boundary of the lot. On the survey, Mr. Renner failed to show the direction of the boundary lines on the plat; failed to note any reference on the plat; failed to show all of the distances on the plat; failed to show any curve data on the plat; failed to include sufficient information on the plat to locate the property within the United States Public Land Survey System; failed to show a controlling corner that he used or accepted to determine the placement of the survey on the ground, or any corners that he set or found; did not identify any documents he used as the basis for the boundary survey; failed to set semi-permanent monuments on the exterior corners of the lot; and, failed to identify the record source of the parent tract. It should be noted that on June 9, 2008, Mr. Renner's professional land surveying license, number PLS-2000, was suspended by the Board for failure to pay state income taxes as provided in Section 324.010, RSMo.

**Cause for Discipline:** Mr. Renner's conduct provided the Board cause to discipline his professional land surveyor's license pursuant to Section 327.441.2(6) RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter.

**Board Action:** On November 15, 2010, the Administrative Hearing Commission issued its Decision finding cause to discipline Mr. Renner's professional land surveying license. After receiving the Decision from the Administrative Hearing Commission, the Board held a disciplinary hearing on May 3, 2011, in the case of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects versus John W. Renner. Thereafter, on June 20, 2011, the Board issued its Findings of Fact, Conclusions of Law and Disciplinary Order that Mr. Renner's professional land surveying license shall be suspended for 60 days, and then placed on probation for three years, with this discipline to commence upon Mr. Renner becoming compliant with Section 324.010, RSMo. Mr. Renner is to immediately apply for re-licensure of his suspended professional land surveying license.

**PROBATION****MILLER, PAUL A., PE-28140**

Kansas City, Missouri

**Summary:** The Board received a complaint alleging that on or before July 18, 2005, Mr. Miller practiced outside his area of competency, failed to properly supervise a project and misconduct, with regard to Mr. Miller's work on a wastewater improvement project for Regional Sewer District #2, Lake Lotawana, Jackson County, Missouri.

**Cause for Discipline:** Mr. Miller's conduct as stated above provides the Board cause to discipline his professional engineering license pursuant to Section 327.441.2(5) RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Mr. Miller signed a Settlement Agreement agreeing to place his professional engineering license, number PE-28140, on probation for 18 months commencing on January 18, 2011 and ending on July 17, 2012.

**MCCLAIN, DAVID R., PLS-2001015261**

Hazelwood, Missouri

**Summary:** The Board received information that on or about June 7, 2005, Mr. McClain filed Articles of Organization



**DISCIPLINARY ACTIONS...CONTINUED...**

with the Missouri Secretary of State for a limited liability company named Advanced Engineering and Surveying, LLC. On June 7, 2005, the Missouri Secretary of State issued a Certificate of Organization to Advanced Engineering and Surveying, LLC. However, Mr. McClain never obtained, or attempted to obtain from the Board, a Corporate Certificate of Authority for Advanced Engineering and Surveying, LLC. On or about January 25, 2007, Mr. McClain affixed the name, address, and telephone number of Advanced Engineering and Surveying, LLC to a boundary survey prepared for a subdivision in Jefferson County, Missouri. On or about February 15, 2008, Mr. McClain signed and sealed a boundary survey he prepared in Crawford County, Missouri. On or about March 26, 2008, Mr. McClain contacted the Board's investigator, informing him that he was available for a survey and indicated that he had all of the information needed to complete the survey. Again on April 2, 2008, Mr. McClain spoke with the Board's Investigator, who posed as a potential client in need of surveying and engineering work. Mr. McClain inquired about the location of the property to be surveyed and whether the Board's Investigator had a legal description for the property and was aware of any other surveys recently done on it. Mr. McClain indicated that the cost for his surveying work would be approximately \$3,000 to \$4,000. Mr. McClain further indicated that due to his present employment, he would have to work on the survey during weekends.

**Cause for Discipline:** Mr. McClain's conduct as stated above provides the Board cause to discipline his professional land surveyor's license pursuant to Section 327.441.2(4) RSMo by obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; Section 327.441.2(5) RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; Section 327.441.2(10), RSMo as found in paragraph 15 of the Settlement Agreement, by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board authorized a settlement with Mr. McClain. Thereafter on January 7, 2011, Mr. McClain signed a Settlement Agreement with the Board, agreeing to place his professional land surveying license, number PLS-2001015261, on probation for a period of two (2) years commencing on February 2, 2011 and ending on February 1, 2013. The Board directed Mr. McClain to pay a civil penalty of \$1,000, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Mr. McClain, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by Mr. McClain, and the interests to the public. Within 60 days of the date of the Order, Mr. McClain shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Franklin County Treasurer, Franklin County, Missouri for payment to the county school fund. On or about March 7, 2011, the Board received a cashier's check in the amount of \$1,000 for the civil penalties from David R. McClain. On March 7, 2011, the Board mailed the \$1,000 cashier's check to the Franklin County Treasurer, Franklin County, Missouri.

**WURM. PHILLIP JOSEPH, PLS-2278**

Kirkwood, Missouri

**Summary:** The Board received information that on or about April 3, 2008, Mr. Wurm signed and sealed a survey for the property described as Lot 18 in Block 1 of Pattonwood, a subdivision in St. Louis County, Missouri. On this survey, Mr. Wurm made the following errors and omissions: 1) failed to show the North East corner of Block 1 as a controlling corner and/or dimensions to that corner; 2) improperly located the South East corner by running a line nineteen feet parallel from the approximate center line of Hill Avenue; 3) failed to properly locate the North East corner of Lot 18 based on existing evidence or proper proportion between lot or block corners; and 4) failed to identify adjacent property owners by either name or record deed document. On or around February 27, 2008, Mr. Wurm signed and sealed a survey for the property described as C B 1432 Shenandoah, 41.9 ft x 125 ft., Quinette etal addn., Lot 1. On this survey, Mr. Wurm made the following errors and omissions: 1) failed to provide an angular measurement shown at the Northwest corner to orient the tract; 2) failed to provide sufficient information indicating the angular tie at the Southeast corner was properly set; 3) failed to determine the true location of Michigan Avenue which represents the lot's East boundary; 4) failed to adequately show controlling corners; and, 5) failed to identify adjacent property owners by either name or record deed document.

**Cause for Discipline:** Mr. Wurm's conduct as stated above provides the Board cause to discipline his professional

**DISCIPLINARY ACTIONS...CONTINUED...**

land surveyor's license pursuant to Section 327.441.2(5) RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Mr. Wurm signed a Settlement Agreement agreeing to place his professional land surveying license, number PLS-2278, on probation for a period of three years commencing on April 7, 2011 and ending on April 6, 2014 and a civil penalty of \$2,500, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Phillip Joseph Wurm it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Phillip Joseph Wurm and the interests to the public. Within 60 days of the date of the Order, Mr. Wurm shall issue a cashier's check or money order in the amount of \$2,500 made payable to the St. Louis County Treasurer, St. Louis County, Missouri, for payment to the county school fund. On or about May 2, 2011, the Board received a cashier's check in the amount of \$2,500 for the civil penalties from Mr. Wurm. On May 4, 2011, the Board mailed the \$2,500 cashier's check to the St. Louis County Treasurer, St. Louis County, Missouri. Mr. Wurm shall correct the deficiencies found within the Pattonwood and Shenandoah surveys. Once all deficiencies have been corrected, Mr. Wurm shall submit a copy of such corrected surveys to the Board Office. Mr. Wurm shall include a copy of his field notes, research material and all other information relative to these particular surveys.

**BEYER, RONALD L., PLS-2195**

Macon, Missouri

**Summary:** The Board received information that in March 2006, Century 21 hired Mr. Beyer to survey property located in Randolph County, Missouri. The survey Mr. Beyer completed for Century 21 was subject to the following errors: 1) Mr. Beyer's research and interpretation of the deed description was inadequate; 2) Mr. Beyer failed to properly reconcile conflict with an adjoining property; 3) Mr. Beyer's survey plat failed to show all controlling corners; and, 4) Mr. Beyer's survey plat failed to show material variation between record title lines and physical possession.

**Cause for Discipline:** Mr. Beyer's conduct as stated above provides the Board cause to discipline his professional land surveyor's license pursuant to Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Mr. Beyer signed a Settlement Agreement agreeing that his professional land surveying license, number PLS-2195, be placed on probation for a period of one year commencing on July 8, 2011 and ending on July 7, 2012.

**HOUSE BILL 600 SUSPENSIONS****BIRCHMEIER, STEPHEN PATRICK, PE-25146**

Pittsburg, Kansas

**Summary and Action:** Mr. Birchmeier's professional engineering license, number PE-25146, was suspended pursuant to Section 324.010, RSMo on April 23, 2011. Mr. Birchmeier came into compliance on June 20, 2011, and is now current and active.

**CRANE, HOBIE DALE, PE-24160**

Olathe, Kansas

**DISCIPLINARY ACTIONS...CONTINUED...**

**Summary and Action:** Mr. Crane's professional engineering license, number PE-24160, was suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**GARDNER, KIM E., PE-23652**

St. Louis, Missouri

**Summary and Action:** Mr. Gardner's professional engineering license, number PE-23652, was suspended pursuant to Section 324.010, RSMo on April 23, 2011. Mr. Gardner came into compliance on May 5, 2011, and is now current and active.

**GRAEFE, SAMUEL WARD, PE-18597**

O'Fallon, Missouri

**Summary and Action:** Mr. Graefe's professional engineering license, number PE-18597, was suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**KERSTING, KEVIN J., PE-26879**

St. Louis, Missouri

**Summary and Action:** Mr. Kersting's professional engineering license, number PE-26879, was suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**KOENIGS, JEFFEREY A., PE-27239**

St. Louis, Missouri

**Summary and Action:** Mr. Koenigs' professional engineering license, number PE-27239, was suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**MCCORMICK, HAROLD E., PE-10641**

Ballwin, Missouri

**Summary and Action:** Mr. McCormick's professional engineering license, number PE-10641, was suspended pursuant to Section 324.010, RSMo on April 23, 2011. Mr. McCormick came into compliance on June 2, 2011, and is now current and active.

**PITTS, T. ANDREW, A-2006014126**

Kansas City, Missouri

**Summary and Action:** Mr. Pitts' architectural license, number A-2006014126, was suspended pursuant to Section 324.010, RSMo on April 23, 2011. Mr. Pitts came into compliance on May 24, 2011, and is now current and active.

**ROSEMAN, DANIEL RAY, PE-2006002848**

Blue Springs, Missouri

**Summary and Action:** Mr. Roseman's professional engineering license, number PE-2006002848, was suspended pursuant to Section 324.010, RSMo on April 23, 2011. Mr. Roseman came into compliance on July 12, 2011, and is now current and active.



**DISCIPLINARY ACTIONS...CONTINUED...**

**WHITE, LELAND R., PLS-2006000163**

Eldon, Missouri

**Summary and Action:** Mr. White's professional land surveying license, number PLS-2006000163, was suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**WILLIAMS, THOMAS L., A-8058**

Kansas City, Missouri

**Summary and Action:** Mr. Williams' architectural license, number A-8058, was suspended pursuant to Section 324.010, RSMo on April 23, 2011.

**CIVIL PENALTIES**

**JEFFREY WINTERS D/B/A WINTERS PRODUCTIONS, LLC. (NOT LICENSED)**

Lake Ozark, Missouri

**Summary:** On April 16, 2009, the Board received a complaint alleging the unlicensed practice of architecture on behalf of Jeffrey Winters d/b/a Winters Productions, LLC in relation to a two-story commercial structure known as Old Town Osage, located in Eldon, Missouri. The plans contained architectural design and were not signed and sealed by a Missouri licensed architect. The plan's title block lists the "Designers" as Winters Productions LLC, Jeff Winters. Mr. Winters is not licensed with the Board. Winters Productions LLC is registered with the Missouri Secretary of State with an "active" status, and a creation date of April 9, 2001. Winters Productions LLC does not have an architectural Corporate Certificate of Authority with the Board.

**Cause for Discipline:** Mr. Winters is liable for a civil penalty for the unlicensed practice of architecture under the terms of Section 327.076.2(1), (7), and (9), RSMo, which states: "The Board may cause a complaint to be filed with the administrative hearing commission, as provided in chapter 621, against any unlicensed person who: (1) Engages in or offers to render or engage in the practice of architecture, professional engineering, land surveying, or landscape architecture; (7) Knowingly aids or abets an unlicensed or unauthorized person who engages in any prohibited activity identified in this subsection; and, (9) Violates any provision of subsection 2 of section 327.441.

**Board Action:** The Board authorized a settlement with Jeffrey Winters d/b/a Winters Productions, Inc. Thereafter on January 26, 2011, the Board issued an Order to Jeffrey Winters d/b/a Winters Productions, Inc. to pay \$5,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Jeffrey Winters d/b/a Winters Productions, Inc., it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Jeffrey Winters d/b/a Winters Productions, Inc., and the interests to the public. Within 60 days of the date of the Order, Jeffrey Winters d/b/a Winters Productions, Inc. shall issue a cashier's check or money order in the amount of \$5,000 made payable to the Camden County Treasurer, Camden County, Missouri, for payment to the county school fund.

**BUTCHER, GARY G., PLS-1911 (expired 12/31/2009)**

Springfield, Missouri

**Summary:** The Board received information that on or about February 19, 2010, Mr. Butcher wrote a letter to Mr. Stephen Strobel in which he proposed to perform surveying services on a property located at 3624 West Republic Road, Springfield, Missouri for a fee of \$800. The scope of the work contemplated in the proposal included performing a boundary survey of the site, meeting the Missouri Minimum Standards for Property Boundary Surveys; and, performing a topographic survey of the property and preparing a plat of the survey. Mr. Butcher signed the letter "Gary G. Butcher, PLS". During this project, Mr. Butcher held himself out to be a licensed professional land surveyor and offered to perform

**DISCIPLINARY ACTIONS...CONTINUED...**

professional land surveying services. The Board received information that Mr. Butcher performed and prepared a survey, on behalf of Mr. Bill Hayes, which is on record in the office of the Recorder of Deeds for Greene County, Missouri on a property at S18 T30N R21W. The survey is signed and sealed as performed on July 20, 2009, when Mr. Butcher's license was lapsed, and revised for filing on June 7, 2010, when it had expired. The Board also received information that Mr. Butcher performed and prepared a survey, "Property Survey of Administrative Subdivision for Brian Carr," which is on record in the office of the Recorder of Deeds for Stone County, Missouri, on property at S35 T25N R24W. The survey is signed and sealed as performed on August 2, 2010, when Mr. Butcher's license had expired.

**Cause for Discipline:** Mr. Butcher's conduct as stated above provides the Board cause to discipline his professional land surveyor's license pursuant to Section 327.441.2(4) RSMo by obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; Section 327.441.2(5) RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** The Board authorized a settlement with Gary G. Butcher. Thereafter on March 8, 2011, Mr. Butcher agreed to pay \$2,500 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Mr. Butcher, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Mr. Butcher, and the interests to the public. Within 60 days of the date of the Order, Mr. Butcher shall issue a cashier's check or money order in the amount of \$2,500 made payable to the Interim Greene County Treasurer, Greene County, Missouri, for payment to the county school fund.

## **PROBATED LICENSES/CIVIL PENALTIES**

**LYMAN SURVEYORS, LLC, PLS-2011000067**

St. Peters, Missouri

**Summary:** On or after September 26, 2008, Lyman Surveyors, LLC offered and provided professional land surveying services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services. It did so by incorporating as a limited liability company with the word "surveyors" in its title. It also did so when it stated that it would provide land surveying services in its corporate purposes that it filed with the Missouri Secretary of State. On December 16, 2010, Lyman Surveyors, LLC filed an application with the Board for a Corporate Certificate of Authority to provide professional land surveying services in the state of Missouri.

**Cause for Discipline:** Cause exists for the Board to deny Lyman Surveyors LLC's land surveying Corporate Certificate of Authority application pursuant to the provisions of Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of Lyman Surveyors, LLC's application for a land surveying Corporate Certificate of Authority, the Board authorized a probated license to be issued to Lyman Surveyors, LLC. Thereafter on January 3, 2011, the Board issued an Order to Lyman Surveyors, LLC to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Lyman Surveyors, LLC, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Lyman Surveyors, LLC, and the interests to the public. Within 60 days of the date of the Order, Lyman Surveyors, LLC shall issue a cashier's check or money order in the amount of \$1,000 made payable to the St. Charles County Treasurer, St. Charles County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate

**DISCIPLINARY ACTIONS...CONTINUED...**

Certificate of Authority shall be considered in good standing.

**SHOEMAKER CONSULTING ENGINEERS, INC., PE-2011003002**

Coralville, Iowa

**Summary:** The Board received information that from at least August 2004, until filing its application for a Corporate Certificate of Authority with the Board, Shoemaker Consulting Engineers, Inc. offered and provided professional engineering services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services by providing such professional engineering services to Missouri clients, including the Clark County R-1 School District. From January 1, 1990 until it filed its application for a Corporate Certificate of Authority, Shoemaker Consulting Engineers, Inc. offered and provided professional engineering services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services by incorporating in Missouri and as part of its corporate name the words "Consulting Engineers." From September 20, 1985, through December 31, 1989, Shoemaker Consulting Engineers, Inc. did have a Corporate Certificate of Authority to practice professional engineering issued by the Board. On December 3, 2010, Shoemaker Consulting Engineers, Inc. filed an application with the Board for a Corporate Certificate of Authority to provide professional engineering services in the state of Missouri.

**Cause for Discipline:** Cause exists to deny Shoemaker Consulting Engineers, Inc.'s application for an engineering Corporate Certificate of Authority pursuant to Section 327.441.2(5) RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of Shoemaker Consulting Engineers, Inc.'s application for an engineering Corporate Certificate of Authority, the Board authorized a probated license to be issued to Shoemaker Consulting Engineers, Inc. Thereafter on February 3, 2011, the Board issued an Order to Shoemaker Consulting Engineers, Inc. to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Shoemaker Consulting Engineers, Inc., it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Shoemaker Consulting Engineers, Inc., and the interests to the public. Within 60 days of the date of the Order, Shoemaker Consulting Engineers, Inc. shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Clark County Treasurer, Clark County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate Certificate of Authority shall be considered in good standing. On or about February 15, 2011, the Board received a cashier's check in the amount of \$1,000 for the civil penalties from Shoemaker Consulting Engineers, Inc. On February 15, 2011, the Board mailed the \$1,000 cashier's check to the Clark County Treasurer, Kahoka, Missouri. Shoemaker Consulting Engineers, Inc.'s engineering Corporate Certificate of Authority, number PE-2011003002, is now considered in good standing.

**SITE LINE, LLC, LA-2011004783**

Leawood, Kansas

**Summary:** The Board received information that on or after May 15, 2010, Site Line, LLC offered and provided landscape architectural services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services. It did so by incorporating in this state with its corporate purposes to provide "consulting landscape architect." On February 17, 2010, Site Line, LLC filed an application with the Board for a Corporate Certificate of Authority to provide landscape architectural services in the state of Missouri.

**Cause for Discipline:** Cause exists for the Board to deny Site Line's landscape architectural Corporate Certificate of Authority application pursuant to the provisions of Section 327.441.2(5) RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.



**DISCIPLINARY ACTIONS...CONTINUED...**

**Board Action:** In lieu of denial of Site Line, LLC's application for a landscape architectural Corporate Certificate of Authority, the Board authorized a probated license to be issued to Site Line, LLC. Thereafter on February 18, 2011, the Board issued an Order to Site Line, LLC to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Site Line, LLC, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Site Line, LLC, and the interests to the public. Within 60 days of the date of the Order, Site Line, LLC shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Jackson County Treasurer, Jackson County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate Certificate of Authority shall be considered in good standing.

**THD DESIGN GROUP, INC.. PLS-2011004412**

O'Fallon, Missouri

**Summary:** The Board received information that THD Design Group, Inc. offered and provided professional land surveying services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services by incorporating in Missouri with as part of its corporate statement of purposes "To own and operate an engineering and surveying company." THD Design Group, Inc. also practiced professional land surveying on December 13, 2010 and December 14, 2010, when it completed a survey and when it included on that survey a statement in its title block that THD Design Group, Inc. was "your solution for engineering and surveying." On February 14, 2011, THD Design Group, Inc. filed an application with the Board for a Corporate Certificate of Authority to provide professional land surveying services in the state of Missouri.

**Cause for Discipline:** Cause exists to deny THD Design Group, Inc.'s application for a professional land surveying Corporate Certificate of Authority pursuant to Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of THD Design Group, Inc.'s application for a land surveying Corporate Certificate of Authority, the Board authorized a probated license to be issued to THD Design Group, Inc. Thereafter on February 16, 2011, the Board issued an Order to THD Design Group, Inc. to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on THD Design Group, Inc., it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by THD Design Group, Inc., and the interests to the public. Within 60 days of the date of the Order, THD Design Group, Inc. shall issue a cashier's check or money order in the amount of \$1,000 made payable to the St. Louis County Treasurer, St. Louis County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate Certificate of Authority shall be considered in good standing. On March 25, 2011, the Board received a cashier's check in the amount of \$500. On March 28, 2011, the Board mailed the \$500 cashier's check to the St. Louis County Treasurer, St. Louis County, Missouri. On or about April 28, 2011, the Board received another cashier's check in the amount of \$500 for the civil penalties from THD Design Group, Inc. On April 28, 2011, the Board mailed the \$500 cashier's check to the St. Louis County Treasurer, St. Louis County, Missouri. THD Design Group, Inc.'s land surveying Corporate Certificate of Authority, number PLS-2011004412, is now considered in good standing.

**THD DESIGN GROUP, INC.. PE-2011004415**

O'Fallon, Missouri

**Summary:** The Board received information that THD Design Group, Inc. offered and provided professional engineering services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services by incorporating in Missouri with as part of its corporate statement of purposes "To own and operate an engineering and surveying company." THD Design Group, Inc. also practiced engineering on December 13, 2010 and December 14, 2010, when it included on a survey it completed a statement in its title block that THD Design Group, Inc. was "your solution for engineering and surveying." On February 14, 2011, THD Design Group, Inc. filed an application with the Board for a Corporate Certificate of Authority to provide professional engineering services in the state of Missouri.

**DISCIPLINARY ACTIONS...CONTINUED...**

**Cause for Discipline:** Cause exists to deny THD Design Group, Inc.'s application for a professional engineering Corporate Certificate of Authority pursuant to Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of THD Design Group, Inc.'s application for an engineering Corporate Certificate of Authority, the Board authorized a probated license to be issued to THD Design Group, Inc. Thereafter on February 16, 2011, the Board issued an Order to THD Design Group, Inc. to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on THD Design Group, Inc., it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by THD Design Group, Inc., and the interests to the public. Within 60 days of the date of the Order, THD Design Group, Inc. shall issue a cashier's check or money order in the amount of \$1,000 made payable to the St. Louis County Treasurer, St. Louis County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate Certificate of Authority shall be considered in good standing. On May 25, 2011, the Board received a cashier's check in the amount of \$500. On May 26, 2011, the Board mailed the \$500 cashier's check to the St. Louis County Treasurer, St. Louis County, Missouri. On July 19, 2011, the Board received a cashier's check in the amount of \$500. On July 22, 2011, the Board mailed the \$500 cashier's check to the St. Louis County Treasurer, St. Louis County, Missouri. Corporate certificate of authority, number E-2011004415 is now considered in good standing.

**WILLIAMS CREEK CONSULTING, INC., PE-2011006729**

Indianapolis, Indiana

**Summary:** The Board received information that from at least October 9, 2007, until the filing of the application for an engineering Corporate Certificate of Authority, Williams Creek Consulting, Inc. offered and provided professional engineering services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services by incorporating in Missouri with as part of its corporate statement of purposes to provide "Sustainable Site Engineering." On and after July 14, 2009, Williams Creek Consulting, Inc. provided professional engineering services without having a Corporate Certificate of Authority to do so by providing such services under contract with the City of Wildwood, Missouri. On February 28, 2011, Williams Creek Consulting, Inc. filed an application with the Board for a Corporate Certificate of Authority to provide professional engineering services in the state of Missouri.

**Cause for Discipline:** Cause exists to deny Williams Creek Consulting, Inc.'s application for a professional engineering Corporate Certificate of Authority pursuant to Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of Williams Creek Consulting, Inc.'s application for an engineering Corporate Certificate of Authority, the Board authorized a probated license to be issued to Williams Creek Consulting, Inc. Thereafter on March 7, 2011, the Board issued an Order to Williams Creek Consulting, Inc. to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Williams Creek Consulting, Inc., it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by Williams Creek Consulting, Inc., and the interests to the public. Within 60 days of the date of the Order, Williams Creek Consulting, Inc. shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Treasurer of St. Louis County, St. Louis County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate Certificate of Authority shall be considered in good standing. On or about April 22, 2011, the Board received a cashier's check in the amount of \$1,000 for the civil penalties from Williams Creek Consulting, Inc. On April 25, 2011, the Board mailed the \$1,000 cashier's check to the St. Louis County Treasurer, St. Louis County, Missouri. Williams Creek Consulting, Inc's engineering Corporate Certificate of Authority, number PE-2011006729, is now considered in good standing.

**DISCIPLINARY ACTIONS...CONTINUED...****MTR Landscape Architects, LLC, LA-2011013002**

Pittsburgh, Pennsylvania

**Summary:** The Board received information that on or after June 6, 2006, MTR Landscape Architects, LLC offered and provided landscape architectural services without having obtained a Corporate Certificate of Authority from the Board to offer or provide such services. It did so by incorporating in Missouri, and as part of its corporate statement of purposes as a foreign limited liability company, MTR Landscape Architects, LLC stated that it was to perform landscape architecture. Its corporate registered agent identified with the Missouri Secretary of State is located in St. Louis County. It also practiced landscape architecture by bidding on landscape architectural services for the St. Louis Botanical Gardens in the City of St. Louis, and thereafter by performing landscape architectural services for the Botanical Gardens in St. Louis City. On April 19, 2011, MTR Landscape Architects, LLC filed an application with the Board for a Corporate Certificate of Authority to provide landscape architectural services in the state of Missouri.

**Cause for Discipline:** Cause exists to deny MTR Landscape Architects, LLC's application for a landscape architectural Corporate Certificate of Authority pursuant to Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of MTR Landscape Architects, LLC's application for a landscape architectural Corporate Certificate of Authority, the Board authorized a probated license to be issued to MTR Landscape Architects, LLC. Thereafter on May 11, 2011, the Board issued an Order to MTR Landscape Architects, LLC to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of Section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on MTR Landscape Architects, LLC, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violations and risk to the public, the economic benefits gained by MTR Landscape Architects, LLC, and the interests to the public. Within 60 days of the date of the Order, MTR Landscape Architects, LLC shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Treasurer of St. Louis City, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the Corporate Certificate of Authority shall be considered in good standing. On or about June 2, 2011, the Board received a cashier's check in the amount of \$1,000 for the civil penalties from MTR Landscape Architects, LLC. On June 2, 2011, the Board mailed the \$1,000 cashier's check to the Treasurer for the City of St. Louis, Missouri. MTR Landscape Architects, LLC's landscape architectural Corporate Certificate of Authority, number LA-2011013002, is now considered in good standing.



## EXAM DATES

Completed Application for Examination or Re-examination-Rescheduling Application Form must be filed (received) in the Board office not later than the filing deadline, no exception.

<b>Fundamentals of Engineering Examination Dates</b>	<b>Application Filing Deadline</b>	<b>Re-Examination/Re-Scheduling Application - Filing Deadline</b>
October 29, 2011	June 1, 2011	August 15, 2011
April 14, 2012	December 1, 2011	February 15, 2012
October 27, 2012	June 1, 2012	August 15, 2012
April 13, 2013	December 1, 2012	February 15, 2013
October 26, 2013	June 1, 2013	August 15, 2013

<b>Principles and Practice of Engineering Examination Dates</b>	<b>Application Filing Deadline</b>	<b>Re-Examination/Re-Scheduling Application - Filing Deadline</b>
October 28, 2011	June 1, 2011	August 15, 2011
April 13, 2012	December 1, 2011	February 15, 2012
October 26, 2012	June 1, 2012	August 15, 2012
April 12, 2013	December 1, 2012	February 15, 2013
October 25, 2013	June 1, 2013	August 15, 2013

<b>Fundamentals of Land Surveying Examination Dates</b>	<b>Application Filing Deadline</b>	<b>Re-Examination/Re-Scheduling Application - Filing Deadline</b>
October 29, 2011	June 1, 2011	August 15, 2011
April 14, 2012	December 1, 2011	February 15, 2012
October 27, 2012	June 1, 2012	August 15, 2012
April 13, 2013	December 1, 2012	February 15, 2013
October 26, 2013	June 1, 2013	August 15, 2013

<b>Principles and Practice of Land Surveying Examination Dates</b>	<b>Application Filing Deadline</b>	<b>Re-Examination/Re-Scheduling Application - Filing Deadline</b>
October 28, 2011	June 1, 2011	August 15, 2011
April 13, 2012	December 1, 2011	February 15, 2012
October 26, 2012	June 1, 2012	August 15, 2012
April 12, 2013	December 1, 2012	February 15, 2013
October 25, 2013	June 1, 2013	August 15, 2013

## L.A.R.E. ADMINISTRATION DATES (FOR ALL EXAM CANDIDATES)

The dates for the administration of the multiple-choice sections of the L.A.R.E. (Sections A, B, and D) are as follows:

September 12-25, 2011 - Sections A, B, and D

March 5-18, 2012 - Sections A, B and D

September 10-23, 2012 - Sections A, B and D

*Note: Any multiple-choice exam may be taken on any day within the two-week window. Please check availability at the center where you wish to test to determine the available testing days.*

The dates for the administration of the graphic sections of the L.A.R.E. (Sections C and E) are as follows:

December 5-6, 2011

June 11-12, 2012

## IMPORTANT INFORMATION REGARDING THE RENEWAL OF YOUR LICENSE

Please be advised that "Renewal Notices" will be mailed the first part of October to all architects, engineers, land surveyors, landscape architects, architectural corporations, engineering corporations, land surveying corporations and landscape architectural corporations that were originally licensed in an ODD year. If you were originally licensed in an odd year and don't receive a renewal notice this fall, please call the Board office at (573) 751-0047.

- Renewal notices are mailed as a courtesy to all licensees.
- The renewal notice is mailed to your address of record on file at the Board office. If you move, it is your responsibility to notify the Board office of your new address promptly so that we can update your record.
- The Board cannot be responsible for misplaced or mishandled mail.
- Failure to receive an application for renewal of a license or certificate of authority does not relieve the licensee or certificate holder from their duty to timely renew, nor does it relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

**Before you return your renewal notice to the Board office, please check the following:**

- Have you enclosed the correct fee?
- Have you completed all sections?
- Have you signed the renewal notice?

Renewal applications are not valid unless signed. Renewal applications that are incomplete or submitted without the correct fee **WILL BE RETURNED**.

It is the licensee's responsibility to ensure that the renewal form is completed and returned in a timely manner, even if you have delegated it to an office manager or assistant. The renewal period will end on December 31, 2011. A licensee who fails to renew his/her license by the renewal date shall not practice in Missouri. Licensees practicing in Missouri without a renewed license are subject to disciplinary action by the Board.

You also have the option of renewing your license online. In fact, the Board strongly encourages its licensees who are up for renewal in 2011 to utilize the online renewal system. By renewing online, you are provided with immediate confirmation that your license has been renewed. It also allows you to pay your renewal fee with a major credit card. Corporations can also renew online.

**Please note that online renewals are not available for the following licensees\*:**

- Licensees wishing to change their license status from active to inactive.
- Licensees who currently hold an inactive license and wish to return to an active status.
- Licensees who currently hold an inactive license and wish to remain inactive.
- Licensees who will have reached the age of 75 or older.
- Licensees renewing after December 31, 2011.

**\*These licensees must complete and return the paper renewal form.**

If you are not sure when your license expires, you can either call the Board office, visit the Board's Web site and click on "Licensee Search" or look at the 5 x 7 certificate sent the last time you renewed-----it will display your expiration date.

## NEW LICENSEES

The following individuals and corporations were licensed between January 1, 2011 and July 31, 2011.

### ARCHITECT LICENSEES

Agnes, Jeffrey Peter	Faust, Ryan Michael	Lutes, Amber Cookus	Pranger, Joshua B.
Andreas, Alan Scott	Ferguson, Reade James	Lynn, Kathryn L.	Przygoda, Christina
Archer, Greg A.	Fox, Evan J.	Mardis, Michael B.	Rahn, Glenn R.
Baribeau, Christopher M.	Gallagher, Thomas A.	Martin, Jennifer E.	Ratts, Eric Bergman
Beattie, Kristi L.	Goldman, Katie E.	Mayer, James A.	Rietz, Katie
Beaulieu, Eric T.	Grooms, David	McConley, Forrest Craig	Schenck, William Edward
Beckman, Samuel K.	Grossfeld, Frederic H.	McDaniel, Brian Mark	Schilling, Ryan James
Bentzinger, William E.	Groth, Adam Steven	Milberger, Eric David	Schlicher, Jeremy T.
Biagi, J. Quintin, Jr.	Guillot, Lesley D.	Millar, E. James	Schultz, Greg B.
Bichel, Mark A.	Gulick, Karen	Miller, Jody Rae	Slattery, Paul
Bowen, Sidney R., III	Hein, Michael W.	Milligan, James Arthur	Smirniotopoulos, Dimitrios G.
Brendle, Bob	Heise, Richard A.	Mitchell, Jason P.	Spurlock, Victor John
Brown, David George	Hendon, Erik Neville	Molsberry, Matthew Merrill	Stahl, Barbara Ann
Burris, David Paul	Hiatt, David Wayne	Moomey, Marcus A.	Stanage, Michael H.
Button, Jeffery Lyle	Hickman, Edward D.	Morgan, Nathan A.	Stange, Wade W.
Callan, Gene W.	Hogan, Thomas J., Jr.	Mori, Toshiko	Steiner, Frank
Campbell, Mark David	Hoglund, J. David	Moser, Michael M.	Stockman, Douglas W.
Capen, Matthew Andrew	Hoover, R. Steven	Naeger, Nick J.	Thanhauser, Charles David
Carlson, Janin D.	Hudgins, Garth Gregory	Nakai, James W.	Thomas, Darcia E.
Chace, Neil Richard	Humason, Robert N.	Ndoni, Arben	Tindall, Travis
Chatham, Michael K.	Hung, Wei-Min	Nightingale, John Robert	Tiseo, Benedetto
Cogar, Andrew Blackwell	Ilekis, Alphonse Arunas	Novak, Dalyn	Totushek, Holly A.
Culberson, Frank C.	Jahn, Timothy E.	Oliveri, Joseph L.	Verner, David S.
Curtis, Dustin	Juranek, David J.	Parks, David	Wallace, Charles
Daniel, Linda Rae	Jurczuk, Stevan John	Pastar, Marin	Wang, Janice
Davilli, Nicole C.	Klein, Michael B.	Paul, Brian Kenneth	Wang, Shean Chang
DeVisser, Case	Kreher, Adam Joseph	Peckham, Gregory R.	Willson, Adele Joanne
Devore, David Brian	Kromkowski, Stephen Paul	Phillips, Amy Ann	Woody, Bruce E.
Dimberger, Nathan G.	Lawler, Nicholas J.	Pinkstaff, Matthew J.	Wray, Emily
Donaldson, Barry L.	LeBlanc, Jacques L.	Poliquin, Brian Richard	Yudell, Robert J.
Elam, Merrill L.	Lehner, Richard Adams	Polsinelli, John Benedict	
Fantl, Stephanie Jan	Lott, Jason Alan	Powers, Whitney	

### ARCHITECTURAL CORPORATIONS

A3G Architects, LLC	DLZ National, Inc.	PHE Architecture, LLC
Alan R. Sumner, FAIA, LLC	EDI International, Inc.	Pulte Homes of St. Louis, LLC
Archaeos, LLC	Garver, LLC	Pyatek Architect, LLC
Architect of Record LLC	Glaus, Pyle, Schomer, Burns & Dehaven, Inc.	Quinn Evans Architects Inc.
Architect One, P.C.	Greg Schultz Architecture, LLC	R. Messner Construction Co., Inc.
Associated Building Solutions, LLC	Hemly Associates, Inc.	S.L. Wilson Consulting, LLC
ATA Beilharz Architects, LLC	HPD Cambridge, Inc	Safdie Architects LLC
Atelier 3 Design LLC	IDEA Architects, LLC	SBLM Architects P.C.
Avant Architects, Inc.	Ilekis Associates P.C.	Simonson & Associates Architects, LLC
Axi:Ome, LLC	JCJ Architecture, PC	Skinner-Groves Limited
BSB Design, Inc.	Killeen & Killeen, LLC	Slattery and Associates Architects Planners, Inc.
Convergence Design LLC	Klover Architects, Inc.	Studio Fusion PA, PC
Coulter Building Consultants, LLC	Lempka Edson Architects, LLC	Tompkins Associates, Inc.
Craig A. Luebbert, Architect, LLC	Lord, Aeck & Sargent	vega architecture llc
Dan Vos Construction Co. Inc.	McFarland Architects, PC	Vetter Health Services, Inc.
Davis Design, Inc.	MOD Architecture, LLC	Westlake, Reed, Leskosky, LLC
DaySpring LLC	Oliveri Architects, Inc.	Zingre & Associates, P.C.
DGRE Studio, LLC	Paul Sabal Architects, P.C.	

**PROFESSIONAL ENGINEER LICENSEES**

Aamidala, Harishankar Goud	Brooks, Thomas M. B., II	Davis, Matthew Richard	Funkhouser, Joel Carman
Acker, Eric S.	Brouwer, Steven D.	DeAlba, Eugenio E.	Gambino, Thomas D.
Adam, Robert Kenneth	Brown, Adam Carter	DeGonia, Melissa G.	Gann, Kurtis Lee
Adamiak, Henry E.	Brown, Kevin S.	Delgado, Antonio Jose	Ganson, Troy A.
Ades, Robert James	Brown, Robert L.	Dement, Timothy D.	Geary, Joseph R.
Ahmad, Umar Tayyib	Buckley, Michael Todd	Dempsey, John M.	Gerke, Andrew Richard
Albright, Matthew	Burgener, Ryan Michael	Derichs, Curtis J.	Giammar, Daniel
Alcock, William J.	Burkart, Emily S.	DeWald, Jason C.	Gill, John W.
Alexander, Andrew M.	Burke, Andrew David	Dexter, Ryan Joseph	Gilmore, David
Allen, Robert Jason	Burke, Nicholas Edward	Dharia, Shraddha	Goebel, Benedikt Alfred
Alwardt, Matthew Charles	Burr, Travis C.	Dill, Stuart Lee	Goldak, David Michael
Ames, James H.	Burrell, Matthew Scott	Dillard, Daniel Roy Richard	Gopalan, Raman
Anderson, Patrick James	Burt, Bruce Alan	Dilworth, Thomas Ward	Gorji, Reza
Anderson, Wade T.	Burton, Dustin J.	Doerhoff, Josh Eric	Gosse, Anthony William
Apling, Joshua R.	Bushouse, Mark D.	Doerr, Dustin Lee	Graham, Brian Robert
Arjomandnia, Nima	Butler, Darrell David	Domann, Todd	Groff, Brian D.
Armstrong, Rolf Henry	Cake, Howard R.	Dong, James	Gross, Christopher Michael
Arnold, Jeffrey L.	Campbell, Gene Alan, Jr.	Donnelly, Christopher Paul	Grubbs, Christopher R.
Arumugam, Rajesh	Campbell, Samuel P.	Donsbach, Andrea E.	Gustafson, Brandon Theodore
Aubin, Frankie Steven	Campbell, Thomas Ray	Dorn, James Edward	Gustin, Harry Latham
Bader, Jonathan Gerard	Carlson, Erik J.	Doubrava, Brian Joseph	Hadlock, Willis M., Jr.
Baldwin, Brandi Jo	Carter, James A.	Dowell, Benjamin C.	Halberg, Aaron J.
Ball, Jacob Ryan	Caruthers, Kisa L.	Downer, Robert James	Hall, Gregory J.
Bardon, Daniel Joseph	Casteel, Steven Craig	Droste, Jeffrey Aaron	Halmen, Ceki
Bare, Gregory Charles	Cea, Cesar Guillermo	Duku, Pendo Munyua	Hamilton, Douglas Lawrence
Barklage, Aaron Keith	Chadwick, Michael Bryan	Dunn, Michael T.	Hamilton, James R.
Barnes, Christopher Daniel	Chamberlain, Eric Scott	Dunnaway, Christopher Jay	Hanks, Andrew C.
Barnes, Mary M.	Chancey, Ryan T.	Dupras, Trevor O.	Harden, Dan R.
Barrett, Timothy J.	Chapman, Jeremy Jiggs	Dyer, Bryan David	Hardert, Mitchell T.
Bass, Jeffrey J.	Chase, William M., Jr.	Eamey, Timothy Patrick	Harper, Jeffrey E.
Bawan, Armando U., Jr.	Chavda, Alpesh K.	East, Bradley L.	Harper, Matthew Allan
Beacom, Robert Eugene	Chepkoi, Kipkoeh K.	Ebberts, David Scott	Hartman, Michael S.
Beaulieu, Christine	Chock, Robb Patrick	Edara, Praveen Kumar	Hartwig, Brian Jonathan
Beckman, Sarah Jane	Choy, Yayu	Edmondson, James Alan	Hartz, Chase
Bellemare, Simon C.	Christensen, Robert Francis	Eilers, Adrienne P.	Havens, Elizabeth Joy
Bellomo, James Thomas	Clark, Dana M.	Elias, Mohammed	Heins, Benjamin Wayne
Benhoff, Kyle A.	Clay, Robert J.	El-Jayyousi, Jalal Thaher	Helwig, Matthew Robert
Bergmann, Christopher G.	Cleary, Ryan Cullen	Ellis, Daniel P.	Hemberger, Stephanie Ann
Bertucci, Enrico J.	Clough, Philip K.	Elzie, Gustora Nicholas	Henry, Derek S.
Bexten, Jeremy S.	Clover, Randy Joe	England, Adam Ross	Henson, Christopher Scott
Beye, Gregory Lewis	Coates, Ryan Andrew	Enstrom, Matthew J.	Herbeck, Jeffrey Michael
Bickford, Megan Lynn	Colakoglu, Ahmet	Epperson, Kenneth Albert	Hergenrether, Mark Christopher
Birmingham, Riley Winecoff	Coleman, D. Thomas, III	Eubanks, Claire M.	Herrmann, Brett William
Blackburn, Christopher Dale	Cook, Christopher William	Ewalt, Brian Gregory Muzingo	Herron, Melantha Diodonna
Blackmer, Matthew T.	Cook, Jason Alexander	Farris, Charles Robert	Hilliard, Joe Hampton
Blanco, Awilda M.	Cooke, G. Lance	Fazzio, Robert D.	Hinton, Charles Alan
Bledsoe, Noah Curtis	Corbitt, John Carlton	Fichtel, Derek Francis	Hixson, Scott Nathan
Boczkowski, Nathan L.	Corich, Christian J.	Findley, Jared Heath	Hochrein, Wayne
Bolduc, Laura	Cornier, Todd A.	Fischer, Robert M.	Hoffman, Lynda Lee
Booth, Charles Richard, Jr.	Comejo, Jose M.	Fisher, Gregory Evan	Hoflander, Jonathan P.
Boston, Richard E.	Cornell, Anthony L.	Fisher, James Joseph	Holland, Daniel W.
Boujaoude, John C.	Cragun, Rebecca	Fletcher, George S.	Holmes, Doug Alan
Bowland, Kyle	Crews, Amy M.	Forbis, Matthew David	Holst, Josiah L.
Boyle, Brett Michael	Cummings, Robert Bunyan, II	Fortney, Patrick J.	Holtzen, Scott E.
Brandt, James Patrick	Dahn, Timothy E.	Franklin, Timothy C.	Holzmeister, Jeffrey J.
Brasier, James Anthony	Dandurand, Michael James	Fredenburg, Michael Shane	Hood, Karoline M.
Brauer, Craig D.	Darmitzel, Sarah Louise	Freeman, Jacob Orville	Horn, Jonathan D.
Breidenthal, Matthew L.	D'Aubin, Stanley A.	Frisbee, Paul Wayne	Hostetler, Dirk E.
Brickner, Christina Marie	Davenport, Wyatt Emery	Fry, Beth Ellen	Howell, Daniel A.
Bridges, Cierra D.	Davis, Gabriel Seth	Fugal, Adam Christian	Hoy, Matthew A.
Broadstone, Abby Rodrigue	Davis, James Brandon	Fujawa, Paul	Hu, Wilson Kun



## NEW LICENSEES...CONTINUED...

Hulse, James S.	Kusnierkiewicz, Alexai Peter	Miltzer, Christian F.	Pugh, Alexander Marion
Huxol, Bradley Alan	Laboy, Lideana	Miller, Matthew Steven	Quigley, Kenneth Robert
Huyhn, Thuy H.	LaDieu, Ryan M.	Milliman, Lyle Robert Lee	Raby, John C.
Huyser, Douglas Wayne	Laity, George	Moehlenkamp, York Michael	Radonovich, David Charles
Inoue, Takuya Jay	Lambert, Jason Mark	Moeller, Ryan	Rahman, Ahmed Anisur
Isaak, Neal	Lambert, Melissa C.	Morey, Kent D.	Rahn, Daniel P.
Ives, Stephen D.	Lane, Jay Joseph	Morris, Nathan Fox	Ralovo, Erin C.
Jacimovic, Srdjan	Larson, Christopher D.	Mueller, Keith Michael	Randol, Neil Allen
Jackson, Nicholas S.	Lau, I. Kei	Mueller, Michael Richard	Raper, Leon R.
Jahraus, Joshua Spencer	Ledyard, James Nicholas	Naeger, Jacob A.	Rapp, Laura E.
Jaspering, Matthew Paul	Lee, Cheuk Ming	Napolitano, Steven	Rapp, Travis Michael
Johnson, Aaron	Lehman, Randall L.	Nathan, Thomas Herbert	Rasmussen, Ryan J.
Johnson, Alan Ray	Lehn, Gregory E.	Navarro, Bradley Francis	Rector, Matthew Allen, Sr.
Johnson, Amanda K.	Lemmo, Steven M.	Nehring, Gregory R.	Redington, Michael N.
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Johnson, Daniel Lowell	LePage, Cynthia J.	Newman, Bryan William	Reinkemeyer, Jeffrey Joseph
Johnson, Rashod R.	Leptuch, Peter Adam	Newman, Nathan Gabriel	Reiter, Joshua David
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Small, Michael E.  
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## FE, FS EXAMS BEGIN TRANSITION TO COMPUTER-BASED TESTING

At the August 2010 NCEES annual meeting, the state licensing boards that make up NCEES voted to begin converting the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams to a computer-based format. The decision followed a prolonged study by a task force convened to research the issue. This transition will allow greater scheduling flexibility for examinees, more uniformity in testing conditions, and enhanced security for exam content.

The exams will be delivered through Pearson VUE's owned-and-operated network of Pearson Professional Centers and other select locations as determined by NCEES. Pearson VUE is a global leader in computer-based testing, with the world's most comprehensive and secure network of testing centers across 165 countries. It provides testing services for academic, government, and professional testing programs, including licensure exams for the National Council of State Boards of Nursing and the National Association of Boards of Pharmacy, as well as the GMAT. Pearson VUE is part of Pearson plc, the largest commercial testing company and education publisher in the world.

The NCEES Computer-Based Testing Task Force is developing a comprehensive plan and timetable for the conversion. Currently, the plan is for the FE and FS exams to be offered in a paper-and-pencil format for the last time in October 2013. The computer-based exams will then begin being offered in early 2014. The PE and PS exams, which engineering and surveying candidates are required to take after completing work experience requirements, will continue to be paper-and-pencil exams for the foreseeable future.

### Timeline for implementation of computer-based administration of FE and FS exams

#### June to August 2011

- The FE and FS content reviews will begin; this is the process by which NCEES develops the exam specifications.
- NCEES will review test center locations.

#### August 2011 to August 2012

- The FE and FS content reviews will be completed.
- The exam item banks will be assessed, and item-writing sessions will be held.
- State licensure boards will review legislative rules and statutes for compliance with computer-based testing.
- New computer-based testing policies will be presented for adoption at the 2012 NCEES annual meeting.

#### August 2012 to August 2013

- Pools of questions will be developed for the initial administration of the exams in this format.

#### October 2013

- Paper-and-pencil FE and FS exams will be offered for the last time.

#### January 2014

- The FE and FS exams will be administered electronically for the first time.





**NCEES**

*advancing licensure for  
engineers and surveyors*

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## **NEWS RELEASE**

February 28, 2011

Contact: Jerry Carter

NCEES Executive Director

[jcarter@ncees.org](mailto:jcarter@ncees.org)

(864) 654-6824

## **NCEES chooses Pearson VUE for FE, FS exam delivery**

NCEES has selected electronic testing company Pearson VUE for computer-based delivery of the Fundamentals of Engineering and Fundamentals of Surveying exams. The NCEES Board of Directors voted to approve the electronic testing company at its February 18–19 meeting.

The first CBT exams will likely be released in mid-2013 and delivered through Pearson VUE's owned-and-operated network of Pearson Professional Centers and other select locations as determined by NCEES.

The FE and FS exams are the first step in the process of becoming a licensed professional engineer or professional surveyor. More than 50,000 examinees currently take these exams each year.

The state licensing boards that compose NCEES voted in August 2010 to begin administering the two exams via computer-based testing at the earliest feasible date. The decision followed a prolonged study by a special task force convened to research the issue.

"We've been interested in CBT for a long time but knew that to transition such a large program successfully, we had to choose the right partner," said Jerry Carter, executive director of NCEES. "Pearson VUE has taken a very collaborative approach to the process—asking questions to make sure they are addressing our unique needs and guiding us through the process so we can maximize the security, test development, and candidate service benefits that will be possible as a result of this transition.

"There is much work to be done, but we're both committed to an end product that will not only add new layers of security to protect the licensure process and the public it serves, but will also offer greater candidate convenience and provide more uniformity in testing conditions," Carter added.

Pearson VUE is a global leader in computer-based testing, with the world's most comprehensive and secure network of testing centers across 165 countries. It provides testing services for academic, government, and professional testing programs, including licensure exams for the National Council of State Boards of Nursing and the National Association of Boards of Pharmacy, as well as the Graduate Management Admissions Test (GMAT). Pearson VUE is part of Pearson plc, the largest commercial testing company and education publisher in the world.

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“In engineering and surveying, precision is key. NCEES exam candidates value accuracy and efficiency, so we’re honored that NCEES has placed its trust in Pearson VUE to deliver on that expectation,” said Robert Whelan, president and CEO of Pearson VUE. “We’re committed to exceeding their requirements and validating that they made the right decision in choosing Pearson VUE for CBT.”

#### ABOUT NCEES

*NCEES is a national nonprofit organization composed of engineering and surveying licensing boards representing all U.S. states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. An accredited standards developer with the American National Standards Institute, NCEES develops, scores, and administers the examinations used for engineering and surveying licensure throughout the United States. NCEES also provides services facilitating professional mobility for licensed engineers and surveyors. Its headquarters is located in Clemson, S.C.*

**Disclaimer:** The articles in this newsletter are the work and opinion of the individual authors and do not necessarily reflect the official opinion or position of the Board.

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DIVISION OF PROFESSIONAL REGISTRATION  
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# MOVING?

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The rules and regulations require all licensees to notify the Board of all such changes by sending a letter, e-mail, or change of address form to the office in Jefferson City, Missouri. Please include a street address to facilitate any express mail deliveries.

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PROFESSION: \_\_\_\_\_ LICENSE NUMBER: \_\_\_\_\_

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